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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LORI DUFRESNE, Individually and as
personal representative for, FRANK
SPENCER, deceased,

Plaintiffs,

-against-

MERCK & CO., INC.,

Defendant.

Civ. No.: 08 Civ 3076

**DECLARATION OF SERVICE AND
FILING**

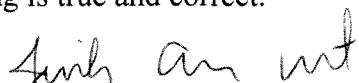
Pursuant to 28 U.S.C. § 1746, JENNIFER ALPERN HECHT declares:

1. I am over the age of 18 years and I am not a party to this action. I am associated with the firm of Hughes Hubbard & Reed LLP, attorneys for Defendant Merck & Co., Inc.
2. On March 26, 2008, the Notice of Removal of Defendant Merck & Co., Inc. was duly filed in the United States District Court for the Southern District of New York.
3. On March 27, 2008, I caused a true and accurate copy of the Notice of Removal and the Notice of Filing of Notice of Removal of Defendant Merck & Co., Inc. to be served via first-class mail, postage prepaid, on plaintiff's counsel, Ronald R.

Benjamin, Esq., Law Office of Ronald R. Benjamin, 126 Riverside Drive, P.O. Box 607, Binghamton, NY 13902-0607.

4. On March 28, 2008, the Notice of Filing of Notice of Removal of Defendant Merck & Co., Inc. was duly filed in the Supreme Court of the State of New York, County of New York.

I declare under penalty of perjury that the foregoing is true and correct.



Jennifer Alpern Hecht